

Minutes of the “virtual” Barham Parish Council meeting held on Thursday 04 February 2021 at 7.30pm.

Background to this “virtual” meeting:

Regulations enabling town and parish councils to lawfully conduct virtual meetings by video and telephone conferencing until 07 May 2021 have been published. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 legislation came into force on 4 April 2020 and allows for virtual meetings to 07 May 2021.

This meeting was held using Zoom as a virtual hosting platform. Agendas were posted on the village noticeboards as usual and also to the parish council's website. This clearly explained that members of the public are still able “attend” a parish council meeting and provided the details of the meeting link or phone number and the PIN code for access to enter.

Present:

Parish Councillors: David Wood (Chairman), Liz Minter (vice chairman), John Brooks, Ernie Mullett, Andreas Tatt, Stuart Eccles, Diane Tatt, Gary Graham and Carolyn Hunt.

Clerk to the Council, Amanda Sparkes.

One Barham resident for part of the meeting.

1. The Chairman’s opening remarks and apologies for absence

Cllr Wood welcomed everyone to the meeting. Apologies for absence were received from Kent County Cllr, Cllr Michael Northey, and Canterbury City Cllr, Cllr Mike Sole.

2. Update on recruitment of a new Clerk

The current Clerk, Amanda Sparkes, resigned on 16 November 2020. Cllrs Wood, Minter and Graham are to arrange interviews next week. Cllr Wood then proposed a working group meeting with all councillors to receive their recommendations and make an appointment of a new Clerk.

3. Declarations of Disclosable Pecuniary Interests

There were no declarations of interest.

4. Minutes of the last meeting

Cllr Brooks proposed and Cllr Graham seconded and all councillors agreed that the Minutes of the last meeting held 03 December 2020 were a true record of the meeting. (NOTED that these will be sent to the Chairman by post to be signed.)

5. Use of S101 delegation to the Clerk since the last meeting:

None.

6. Adjournment of the meeting for parishioners’ questions and comments.

A member of the public gave congratulations on the last set of Minutes. He explained he was very supportive of cycle path improvements. He was involved in the past in trying to achieve these but completion of the project failed around land rights and permissions. He said he would be happy to give all the details, especially as a lot of time has passed. He commented that COVID has made a vast difference to attitudes and transport modes and cycling meets health agendas. He wished the council good luck with the project and reiterated his desire to support this.

Cllr Wood explained that the council had had a presentation from a resident at the November 2020 parish council meeting. The Clerk will send the resident the relevant Minutes and Cllr Minter agreed to approach the resident under GDPR requirements for permission to share his report and personal details with the resident.

The meeting continued.

7. KCC Cllr Michael Northey report

KCC Cllr Northey had given apologies for the meeting but sent the following two items to report:

Children’s Mental Health Week Support Available in Kent

Kent families are being reminded this Children’s Mental Health Week (February 1 to 7) of the mental wellbeing support available as Covid-19 continues to cause restrictions and impact people’s lives. HeadStart Kent, which is funded by the National Lottery Community Fund and

overseen by Kent County Council, is sending out social media clips of young people talking about their experiences and tips for dealing with lockdown restrictions and home schooling. There are also online resources and training available to parents and carers to help them support their children on the Kent Resilience Hub website.

There is also information about services available to support parents, carers and children with a range of mental health issues on a dedicated mental health and wellbeing area on KCC's website. The site was created earlier this year by health, public sector, charity and voluntary organisations across Kent and Medway to signpost residents to information and help during the Covid-19 outbreak.

The site includes details of HeadStart Kent's two websites - the Kent Resilience Hub, which offers support and advice for parents and carers, and the MoodSpark website, which was designed with and for children and young people in Kent and is aimed at 10 to 16-year-olds to help them learn to look after their emotional and mental health.

Kooth is also available for young people to get advice and chat to a qualified counsellor.

The Young Minds website and the NSPCC guide on working from home with children, dealing with co-parenting and family arguments and tensions.

If you are worried about your child and need urgent help you can call the Kent and Medway Single Point of Access for Children's Mental Health and Wellbeing on 0800 011 3747 to get the right support.

For those aged 14 plus, the Release the Pressure text service can help – just text 'Kent' to 85258 or phone 0800 107 0160 for free confidential support at any time from trained counsellors.

Kent County Council COVID-19 Update

The Prime Minister has said that in the week commencing 22 February, Government will publish their review of lockdown measures, and publish a "roadmap" "for taking the country out of lockdown".

From the week beginning Monday, 8 March the Prime Minister hopes schools can start to be reopened. The Prime Minister has said that "other economic and social restrictions" will be removed "as and when the data permits".

The Home Secretary has reiterated that "the police will enforce" the existing lockdown restrictions.

The Prime Minister said that it "now appears that there is some evidence that the new variant" of COVID-19 – the variant that was first identified in London and the South East – may be associated with a higher degree of mortality.

The Home Secretary has announced further international travel restrictions.

A further five rapid-result COVID-19 testing sites for people who don't have symptoms have opened in Kent; and data on the numbers of symptom-free tests taken, and the positivity rates for each Kent District has now also been [published](#).

The first large-scale vaccination centre has opened in Kent, in Folkestone.

NHS England now [publishes weekly regional, and County area, vaccination figures](#).

The Government has advised schools to pause the daily COVID-19 testing of students and staff in England.

8. Canterbury City Councillor Mike Sole's report

Cllr Sole had sent the following report for February 2021, which was circulated to parish cllrs prior to the meeting:

Parish Council Report – February 2021

January can be summed up as river, roads and rubbish. Firstly, with the Nailbourne in flow I have been in regular contact with KCC, CCC and residents, particularly in respect of Out Elmstead Lane, but also elsewhere. At present KCC have a "soft closure" at the junction with Valley Road, but should the water start to go onto Valley Road it will have to be closed off with barriers. I have had discussions with Highways England about the A2 junction and they have agreed to put in place a temporary 50mph limit from 11th February which is good news. On roads, it was very pleasing to see the repairs

having been completed in Covet Lane, Kingston and that the contractors have now moved onto Marley Lane where work is in progress. There is still other road work to be carried out near Marley Farm but for practical reasons it was not possible for this to be completed at the same time. On other roads I have recently reported a number of potholes and KCC will be onto these as soon as possible. Secondly, bins. What a nightmare this has been with so many local bins not getting any recycling collected in January. There has also been an increase in general litter in the area, along the A2, in lay-bys, more dog fouling and overflowing public litter bins. Whilst Covid and the end of the Serco contract have been a factor, here in Nailbourne ward we seem to have been affected more significantly than other areas. I have written to Colin Carmichael the council chief executive about these issues, and at the end of my report is my letter and his reply.

Dear Colin I am sending you this "open" letter on behalf of Nailbourne residents. Firstly I acknowledge the huge strains that Covid has put on services and the additional complications arising from the Serco waste collection service being transferred to the council's own Canterbury Environment Company. I know that staff have been working so very hard and there is a great deal of sympathy and understanding from residents about the issues that resulted in delayed bin collections. However, having been working with council officers and Serco through the usual channels, I now feel that a number of local matters should be brought to your attention. 1) Recycling bins have still not yet been collected from many properties in Nailbourne ward since before Christmas. When I had been informed last week that Serco had caught up, and I knew this to be untrue, I asked residents to let me know on social media which roads were still outstanding. Whilst this might not have been a complete picture I was able to pass on details of around 20 roads that had not been done. Every day this week I have then been informed by Serco that they all would be done and every day they did a few but not all. There is no faith in the missed bin reporting system and my inbox remains as full of reports uncollected bins as my own bins are, along with everyone else in my road, awaiting their first 2021 collection. To complicate matters, some residents have had perhaps collections of paper but not blue lidded bins. As instructed there are now garden waste bins outside houses with plastic etc in and well as black sacks of plastic. The concern is that when bins are finally collected these will now be left behind. So that we can get this resolved as soon as possible, please can I have: A) Contact details that I can pass onto residents affected by these missed recycling collections so that they may provide specific details of what has not been collected from their homes. B) Confirmation that the next collection will include any recycling waste in black sacks and garden bins C) An update on Christmas Tree collections 2) There has been a huge increase in litter. Unlike the urban areas we do not see the street cleansing operatives out in the villages and it is only down to the superb work of volunteers that the villages are able to be kept as clean as they are. The litter along the A2 and in lay-bys is appalling. The bus stops along the A2 are filthy. I understand that the council is in the process of obtaining permissions to clear the lay-bys which is good to hear, but they should never have been allowed to get into that state. For years I have been trying to get the unofficial Adisham Road (Box Iron) lay-by cleared. You could fill several skips with the waste, flytipping and urine bottles there. I have months of correspondence between Highways England and KCC as the each deny ownership of the land and the responsibility to clean it up and then maintain it.

In this specific respect may I ask that an officer is tasked with getting to grips with this specific issue so that it might be resolved once and for all. In the meantime can the City Council please undertake a clean of the lay-by and associated vegetation? May I also ask when the next complete clean of the A2 is scheduled? It should happen twice a year but there was no clean in the Autumn and now, with less traffic on the roads, would be the time to do this before the spring growth. Whilst the council does support and lend equipment for organised litter picks, a great many people help keep things tidy on their own. It would help significantly if the council were to make it easier by providing free litter picking equipment to individuals. 3) We have seen an increase in dog fouling and general litter in the villages and rural areas. May I ask that the council looks to deal with this by contacting the five parish councils in the ward

with a view to identifying locations for additional bins and signage to be provided. 4) Please would the council write to Gomez at Highland Court in order to ask what can be done jointly to reduce the litter from lorries that use their site, in particular along Coldharbour Lane. If the district is to come out fighting after covid it will be on the back of tourism and making the district an attractive place to visit and live in. In many ways Nailbourne ward is the gateway to the district from the continent. I believe that the council can and should do more to make this a more clean, attractive and welcoming area, but at present, even with the covid related financial and staffing challenges, it can and should do much better. Kind regards Mike.

Dear Mike, Thank you for your letter. I recognise one of Canterbury City Council's key responsibilities is to collect the waste of its residents and I am sorry to hear about the problems being experienced in your ward. I hope you can pass on my apologies and thank them for their patience and understanding. You are right. This has been an especially challenging time for our waste contractor Serco and its crews who work on the frontline day in and day out doing a very difficult job especially in the winter. Covid-19 has seriously affected staff numbers and severely reduced the service they could offer. At the same time, everyone has been preparing for Serco's contract to end and the service to move to the Canterbury City Council-owned Canterbury Environment Company (Canenco), from this coming Monday. While no magic wand, this will slowly but surely give us greater control and flexibility over waste collections in the future so we can try to avoid these problems. Of course, none of this helps your residents right now. I have asked senior officers to look at the situation in the Nailbourne ward as a matter of urgency and will come back to you with an update. Christmas tree collections remain suspended and we ask residents to be patient or to use Kent County Council's household waste recycling centres. You can book a slot here. I also understand your frustration when it comes to the problem of litter and the volunteers you single out have our gratitude and admiration. Please pass on our thanks. The blame should lie squarely on the shoulders of those that dump their rubbish and expect council taxpayers to pay for it to be cleared. They are responsible for vital funds having to be diverted from frontline services like supporting rough sleepers into accommodation. Again, this does not help the situation we find ourselves in and I will talk to senior officers to see what pressure we can apply to unblock the situation you outline. The very people we would use to clean up other people's mess are those same Serco crews who have been hit by Covid. I will come back to you on the cleaning of the A2. While we have responsibility for its cleaning, it is operated by Highways England and we need their permission to close lanes so we can operate safely. Covid has prevented our usual twice-yearly clean. Dog fouling is yet another example of people failing to take personal responsibility and expecting the council taxpayer to pay for people to clear up after them. People can deposit their full bags in any litter bin or take it home and dispose of it in the bin there. There really is no excuse. I will raise your concerns with our Enforcement team and our Contracts team in relation to the bins but you will be aware the council's budget is being squeezed exceptionally badly this year. I understand you have already been in touch with the Head of Communications and he has agreed to look at signs encouraging people to pick up after their pets. Again, it is very sad that these might be needed. I will ask our Enforcement team to contact the companies you suggest. I agree Nailbourne ward is one of the jewels in our crown and it is a matter of regret that others do not treat it in that way. As you know, we try to be vigilant about these really fundamental issues right across our District. *Colin*

Canterbury City Councillor, Cllr Mike Sole

9. Financial matters

- The cheque payments since the last meeting were noted.
- The bank statements and bank reconciliation for November and December 2020, and January 2021 will be sent to Cllr Graham for scrutiny and signature.
- NOTED a payment of £2,791.04 taken by direct debit on 31 December 2020 for the six-monthly Public Work Loan repayment due.
- NOTED a payment of £726.65 taken by direct debit for EDF Energy for street lighting energy quarterly bill.
- RECEIVED an end of Quarter 3 to 31 December 2020 of expenditure against budget, for information.

Reduction in tax base figure - NOTED that CCC has advised that the parish council tax base had reduced – from 544.01 in 2020-2021 to 536.77 in 2021-2022. This may be explained by the coronavirus pandemic giving

rise to more residents qualifying for council tax support. It will mean that even though the parish council resolved to keep the precept level the same as last year's there will now be a small percentage increase.

Resident request to add triangle piece of land, Valley Road to grass cutting contract

A resident has explained that for the triangle piece of land in Valley Road, where the new planter has been placed, that they held a licence over the land some years ago and were therefore responsible for maintaining it and as such it is not on the parish council's contractor's schedule for grass cutting. The resident returned the licence to the KCC about 3 or 4 years ago and aided by a neighbour has cutting the grass ever since. The resident has asked the parish council if it may be added to the contractor's schedule with immediate effect. Cllr Minter proposed, Cllr Hunt seconded and all councillors were in agreement that this should be added. The Clerk will contact the resident and the council's contractor.

Flint wall between the Churchyard and The Spinney

The Clerk was contacted by the owner of The Spinney about the condition of the wall between the churchyard and The Spinney. The Chairman explained that he and the Clerk did a site visit and the Clerk took several photographs which have been circulated to Cllrs. They inspected all four boundaries of the closed churchyard. There are some serious cracks in places and most walls have repointing repairs requirements.

Cllr Wood explained he has also spoken to the Church Warden. If the wall is deemed to be part of the Church, the wall may also be deemed to be Grade I listed as part of the Church curtilage. The Church Warden is waiting on English Heritage to advise who the wall belongs to.

Cllr Wood suggested that when ownership is known the parish council should commission an inspection survey. He felt that repairs could be very costly indeed. Cllr Minter suggested that there are other sources of funding. The Clerk explained there is an emergency fund under concurrent function funding and this might also be a source.

Cllr Wood confirmed that he had also spoken to Reverend Stefan Thomas. He commented that repairs may have to be undertaken over a number of years due to costs.

Provisional Local Government Finance Settlement: On 17 December, the Government published its [provisional local government finance settlement](#), which confirms the Government will continue with no referendum principles for local councils in 2021-22. The relevant section is on page 12 of the consultation document:

In 2018-19, the Government announced that it did not intend to set referendum principles for town and parish councils for three years. This was contingent on the sector taking all available steps to mitigate the need for council tax increases and the Government seeing clear evidence of restraint in the increases set by the sector. In 2020-21, the average Band D parish precept increased by 4.0%. This was the lowest percentage point increase in parish precept since 2012-13 but remains in excess of the rate of inflation. In expectation that parish and town councils continue to show restraint when setting council tax precept levels, the Government proposes to continue with no referendum principles for town and parish councils in 2021-22. The Government will take careful account of the increases set by parishes in 2021-22 when reviewing the matter ahead of next year's settlement.

10. The future of Concurrent Function Funding

There is no update as yet on the audit CCC will undertake to determine the current levels of provision in parishes compared to urban areas and subsequently consider the funding options for 2023/24. Cllr Wood commented that rural residents contribute to other services too that are only undertaken by CCC in urban areas.

11. CCC Capital grant for 2021-2022

The Clerk explained that CCC has advised there is £29k allocated to run the CCC capital grants scheme for parish councils, as in previous years. The deadline for applications is 26 April 2021. This will be added to the next meeting agenda to resolve what to apply for.

12. Publicity & Communications including website

Cllr A. Tatt advised that he keeps an eye on the community Facebook page.

A councillor had suggested that planning applications received should be advertised on Facebook.

Cllr Wood queried if this would be a lot of work. Cllr A. Tatt explained he would not post them routinely, only if one was potentially contentious or of particular interest. The Clerk confirmed that the parish council's website has a direct link to the Canterbury City Council's planning portal where applications may be viewed.

The Clerk has now made Cllr A. Tatt a second administrator for the website.

Cllr A. Tatt explained that a spam email made to look as if it had come from Cllr Wood had been received. He contacted Eyelid Productions and they suggested the passwords for the Cllr emails be changed, which has been done.

A reminder that the new parish council website is now live at barhamparishcouncil.gov.uk. Cllr A. Tatt will now promote this on Facebook.

The Clerk has now created 9 councillor generic .gov.uk parish council email addresses. Cllr Graham and Cllr Minter commented that they were very happy with the Cllr email; it separates from their personal email, and enables focussing and time management.

The councillors discussed and agreed to adopt a policy for Cllr generic .gov.uk emails: That Cllrs must only use for official PC business, and respect GDPR regulations, and if a vacancy arises that the Clerk will delete the email, delete the data and put on an autoreply to say that the Cllr is no longer a councillor and to resend to the Clerk.

13. **Highways**

NOTED that on 19 January 2021 Kent County Council gave notice that through traffic will be prohibited on various roads which cross the Nailbourne, due to flooding. Roads affected in Barham are: South Barham Road (closure already in place); The Causeway (closure already in place); Railway Hill / Derringstone Street, and Out Elmstead Lane (closed from 01 February 2021). The roads are closed in the vicinity of the Nailbourne stream. The closures are for an indefinite period. The closures are necessary due to the high volumes of water in the Nailbourne Stream.

Due to the road closure at the bottom of Out Elmstead Lane, CCC Cllr Mike Sole has been pushing Highways England for a speed limit reduction on the A2 on the approach to the top of Out Elmstead Lane. Cllr D. Tatt explained that on 04 February 2021 a large lorry had to reverse out on to the A2, which is so dangerous without traffic calming.

During previous flooding there was a diversion sign at the bottom of Out Elmstead Lane and a lane of cones created on the A2. This time there is only a 'caution' sign some 50 yards back from the junction of Out Elmstead Lane with the A2.

The Clerk was asked to speak to Cllr Sole as the closure is going to be in place for a long time to come. An alternative to a speed reduction on the A2 might be a bridge over the ford at the bottom of Out Elmstead Lane.

Signage in Church Lane and The Street and requests for 20mph roads in Barham

During w/c 18 January 2021 the Clerk was copied into emails between the highways steward and Simpsons Vineyards and also took a couple of calls from the highways steward. Essentially a resident wrote to the steward to comment on how effective the new Simpsons signage is and that's when she also coincidentally received the parish council letter dated 17 October 2020 sent to Cllr Northey about further signage improvements and 20mph requests – that he only sent to her on 20 January 2021. So up to that point she had no knowledge of the signage the Simpsons paid for and erected.

The bulk of the signage is unauthorised.

To try and get a resolution the Chairman and Clerk were invited to attend a zoom meeting between the Kent Highways' manager and Ruth and Charles Simpson on 04 February 2021. A range of options were discussed and agreement reached between Kent Highways and the Simpsons. The main aim of the meeting was to improve traffic to and from the vineyard, but Cllr Wood did explain the wider problems such as when Highways England closes the A2.

It was a productive meeting with Kent Highways agreeing to fund most improvements such as moving some signs and installing some new from their small works budget for 2021-2022 and an order will be placed in April 2021.

South East Water - water main replacement work - Black Robin Lane, Valley Road and Covet Lane in February 2021.

South East Water is to directionally drill a new water main into the ground, which involves digging two 6 metre by 2 metre 'launch and receive' pits where a drilling rig will then drill the new main between the two points, usually this is done at a 100 metre stretch at a time. SE Water will close Covet Lane (for a of maximum two weeks at the start of the project and two weeks at the end of the project) and also

close Black Robin Lane for the entirety of the project (this will be a hard road closure with concrete barriers at the A2 Dover Road Junction).

There will also be 4-way temporary traffic lights (one within Black Robin Lane with the closure in place at the top of the road) and these lights will enable SE Water to carry out trial holes which allow SE Water to determine the best possible route for the pipe to be drilled into the ground.

In regards to buses in the area, they will only be affected by the multi-way temporary traffic lights and SE Water will inform the bus company of these changes and the total duration.

Annual Parking Review 2019

The Causeway & Railway Hill: Double yellow lines at the junction

The parish council's/residents' request for the above proposed change to parking restrictions is now included in the Parking Review out to consultation from 14 January 2021 with all requests received in 2019 and 2020 being considered. All objections will then be reported to the Joint Transportation Board later in 2021 so that KCC and CCC councillors can decide whether to implement the proposal.

The consultation proposal version does not include a break in the yellow lines outside Lochee Villas to enable one parking space, so the parish council has made a representation that this be reinstated.

14. Open Spaces

Deed of Gift and retained right of way/access

Within the Deed of Gift of the Village Green there is a retained right to a 20ft wide access across the back of the village green, retained by The Groombridge family after they gifted the land in May 1956. Mr Groombridge has asked the parish council to move the 8 trees planted within this 20ft.

Cllr Minter had reached out to several resident contacts since the last meeting. Cllr Wood explained that he had received several emails and telephone calls of concern from residents about this.

Cllr Minter read the following open letter to the council:

Chair, fellow councillors,

At our last meeting there was a motion to agree moving trees on the village green as this had been raised with a council member to secure a right of agricultural access.

I asked that this decision be delayed for further discussion and consultation which I welcome the opportunity for today.

As a representative councillor I have shared what I know of the issue with fellow villagers and it has raised some concerns which should be part of this debate.

It has been written by the clerk that something in what I shared was inaccurate for which I stand ready to be corrected when it is clearly stated what that was.

In response to letters of concern the chair has replied with the council's view which I was not party to agreeing and thought was the purpose of tonight's debate.

I would like to pay tribute to the wonderful generosity of the Groombridge family in donating the land for the village green so many years ago. I also appreciate the email recently received from Mr Rolph Groombridge that they are only seeking to retain historic rights of access.

For the record I have never said to anyone that the issue is one of road access – that is not the question on the table.

However, if agricultural access is to be utilised this does cause some concerns with residents whose children so enjoy the green. These concerns have been expressed by individuals.

I seek one simple reassurance which is that the covenant granting access is personal to the Groombridge family and not something which can be sold on with the land in the future. If this were **proven** to be the case then I would be in complete agreement with the chair's line of argument.

I propose that this question should be satisfied with legal advice before a final decision is reached. I believe it is beholden on us as a council to commission this to safeguard the interests of residents and future generations.

The above open letter was not discussed or addressed. The Chairman did state that the email he sent to concerned residents only contained information discussed at the December 2020 parish council meeting (and therefore information already in the public domain). Cllr Minter made a proposal that before the trees are removed which she felt went against the Victorian Acts (The Victorian Acts is a collective reference to a group of long-standing legislation that protects greens) that the parish council should first clarify the position for future generations and seek legal advice. Cllr Mullett felt this costs money and he didn't feel it necessary.

An email was sent to Cllr Mullett from Rolf Groombridge on 03 February 2021 as follows:

"Just a quick note to confirm that we have no intention of making any changes currently to the access onto the Green; as discussed, we're merely doing what any responsible owner would do to keep things up to date in relation to title deeds, etc.

I'm surprised it's caused any discussion to be honest as it's an access that's been there ever since we a family donated the green to the village and in anything we do we only want to enhance the beautiful village of Barham, not degrade it in any way."

Cllr Hunt considered it a good time of year to move the trees now, she commented that the parish councillors had not been aware of the right of access when they had been planted and there has now been a reassurance from the Groombridge family.

Cllr Mullett reminded the council that the 20-foot access was to allow combines historically to access the field adjacent to harvest it, and said that this right has not been used since the 1960s. Cllr Eccles wondered if the gift of the land was in jeopardy and Cllr Brooks considered that there is a moral obligation to respect the Groombridge covenant. Cllr D. Tatt asked how far in the 20-foot access are the planted trees, and Cllr Wood confirmed about half-way. Cllr Graham said he had reservations about taking legal advice, as it might not be definitive and could require further advice which would cost money again.

Cllr Minter questioned if the Groombridge land is sold whether the right of the donor transfers too. Cllr Eccles thought it would be whether the wording was donor (and reserved and excepted to the donor), or donor and successor, and he offered to try and seek free informal legal advice for councillors only. Cllr Minter asked for a vote for Cllr Eccles to seek legal advice, which Cllr D. Tatt seconded. This was supported by a further two councillors, Cllr Graham and Cllr A. Tatt but which Cllrs Mullett, Hunt and Brooks did not support, although with the majority was carried.

Cllrs questioned if moving the trees would set a precedent pre-advice, and Cllr Eccles commented that he did not think so. Cllr Hunt proposed moving the trees while they are in a dormant stage within the next 6 weeks. She commented that there are 8 of them and there are other locations on the green available to plant them. Cllr Wood advised there are 3 existing struggling trees along The Street boundary that could be replaced by 3 of them and he proposed a vote on moving these now. Cllr Hunt agreed, and Cllr Eccles seconded this and all councillors indicated they were in agreement. Cllr Wood asked the Clerk to book the contractor. (Conservation area consent is not required as the trees are exempt as they have a trunk diameter of less than 75mm measured 1.5 metres above ground level).

Cllr Hunt offered to lead on deciding new locations for the remaining 5 trees, and Cllr D. Tatt agreed that Cllr Hunt should do this in conjunction with at least one other councillor and after consultation with the school especially with regard to their Sports Day and Fete activities etc. Cllr Wood offered to work in conjunction with Cllr Hunt on this.

Dogs and dog fouling

Cllr A. Tatt asked for a No Dogs sign to be installed again by the pedestrian bridge as the old one has disappeared. Cllr Wood will organise this.

Cllr Mullett commented that dog fouling is a problem at the Brickfield Recreation ground for the football club area. Signage is already in situ. Cllr A. Tatt will do a Facebook post about this.

New bins for Barham

NOTED that the new bin at the South Barham Road layby was finally provided on 23 December 2020. (The invoice for emptying the new one at The Grove remains outstanding and has been chased.)

Coronavirus risk assessments

NOTED that the Clerk has updated the risk assessment documents to log actions taken since April.

Cllr visual inspections of the play areas

Cllr A. Tatt and Cllr Hunt will undertake the next visual play areas inspections in March 2021.

Order for a new Zip wire

The order has been placed. Cllr Wood advised that he and the Clerk held a socially distanced meeting with the company's Area manager on site and the location in the picnic section was agreed. The ground is too wet currently to progress this. Installation will take one day to put in the two end structures and the company then return a week or so later to put on the cable.

UKPN pole replacement at Brickfield Recreation Ground

The Clerk took a call on 24 September 2020 from a UK Power Networks officer. He was at Brickfield Recreation ground and has advised that the power pole at the bottom of Brickfield Recreation ground needs to be replaced by UKPN. There has been no further dialogue yet.

Replacement of cradle swings seats

NOTED the order was placed for the replacement of the two swing cradle seats at the Old Valley Road play area and installation was scheduled for week commencing 01 February 2021.

Canterbury City Council consultation on its proposal to extend its current dog control Public Space Protection Order (PSPO).

This is the main enforcement tool used by the council where dog control is concerned, helping to prevent and tackle issues around dog fouling and irresponsible dog ownership.

The PSPO sets out the areas where dogs must be kept on a lead and areas where dogs are not allowed, and what time of year these restrictions apply, as well as the requirement for people to pick up their dog mess. Full details are listed at [dog-control-public-space-protection-order \(canterbury.gov.uk\)](https://www.canterbury.gov.uk/dog-control-public-space-protection-order). The previous Order came into effect on 1 May 2018 for a period of three years. The relevant extract for Barham is:

CANTERBURY CITY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 PART 4, CHAPTER 2, SECTION 59
PUBLIC SPACES PROTECTION ORDER
Public Spaces Protection Order (Control of Dogs) 2018 Paragraph 8.

A person in charge of a dog shall not take that dog onto, nor shall he allow the dog to enter or remain on, the land listed below

- Children's play area at The Red House Derringstone
- The Cricket Ground Barham
- The Village Green Barham

Canterbury City Council is not proposing any changes to the activity, locations or times covered by the PSPO. Currently the only proposal is to continue the restrictions for a further three years. However, if the parish council thinks there should be other changes, these will be considered by committee when the new arrangements are agreed.

The parish council discussed this.

The old Cricket Ground is now not public open space but is privately leased to the Football Club. It has never been a public open space, unlike the two village greens, and there is no right to walk on the field therefore, only along the public right of way along one edge of the land. Barham Youth Football Club are of the view that dog walkers should not be restricted from walking on the PROW across the ground leading to extended country walks and have written to CCC to request that this location is removed from the protection order.

Cllr Wood proposed therefore that Barham Parish Council write to CCC also to explain this and ask for its removal from the PSPO.

15. Footpaths & Rights of Way

The Elham Valley Walkers Group

The Elham Valley Walkers Group comprises of 7 members living in the valley. They organise an Annual Walking festival and monthly walks in the countryside stretching from Canterbury to Folkestone and encompassing the North Downs and areas of special interest.

The group is supported by the "Walkers are Welcome" organisation and the village of Elham is a member. They have links to local walking associations, Ramblers, North Downs Way and other walking festivals in the south east.

They have recently produced a "Village Map" of walks in and around Elham and this is displayed in a waterproof noticeboard in the village square with downloadable walks for use by the public free of charge. Downloadable at <https://elhamvalleywalkers.co.uk/elham-walks/>

They are keen to encourage all the villages in the valley to support this initiative and to that end would be willing to create the walks and maps for display through the whole valley and wondered if this is of interest to Barham Parish Council.

Barham councillors like this idea but wondered if there are any costs involved. It was agreed that if there are no costs that The Elham Valley Walkers Group should be asked to move forward with this. If there are costs associated then this item will be brought back to the next meeting.

Possible moving of footpath towards The Black Robin

Cllr Minter explained again that the footpath leading out of the village on the left-hand side towards The Black Robin PH has land owners that are willing to have the footpath moved. The Clerk has made enquiries about modifying the PROW map and the process has associated costs in the region of £1,930. This will be added as an agenda item to the next meeting for discussion. Cllr Wood confirmed this may be a partnership project with Kingston Parish Council as some of its land is in Kingston.

Cllr Minter explained she would like to speak to residents informally about the moving of the footpath.

Cllr A. Tatt explained that CCC Cllr Mike Sole had posted a Facebook report suggesting clay bunds be provided around the Out Elmstead Lane area and a raised cycle path could be built above clay bunds.

16. Village organisations

Barham Football Club

For the Football Club proposed future pavilion, Cllr D. Tatt confirmed that the Quantity Surveyor quote has now been received.

Games are delayed to March 2021 or later. Numbers are up on last year however, despite COVID-19.

Barham Allotments Association

As reported to the last meeting, in November 2020 the Barham Allotments Association alerted the Clerk to a water leak at the trough at the bottom of Brickfield Recreation ground. The Clerk, Cllr Wood and Cllr Mullett dealt with this through Castle Water/Affinity Water. The metal stand pipe is broken, but the water has been shut off and the plumber will fix this when the ground is drier.

The Chairman of BAA sent an update to the Clerk on 01 February 2018 explaining that since the allotment extension and five members giving up plots due to moving away or due to ill-health, all plots have been taken by those on the original waiting list and a new waiting list has now been started. BAA is to reinstate the small communal area that was part of the original plan when the allotments were established.

The BAA Chairman commented that the water bill for 2020 was significantly higher than 2019 and wondered if the leak could have contributed to that and asked if some compensation could be offered by the parish council. The Clerk had looked back at historic costs for 2018, 2019 and 2020, and she explained that the next water bill is due in February 2021 and this will provide detail on the extent of the leak. This item will be added to the next agenda.

17. External organisations

NOTED that the Chairman and the Clerk attended the CCC Parish Engagement meeting on 01 February 2021 which gave presentations on the emerging review of the Canterbury District Local Plan;

community planning (Village Design Statement and Neighbourhood Plans); and the introduction of the Community Infrastructure Levy (CIL). The Clerk's write-up of this meeting is attached as an Appendix to these Minutes.

NOTED that the next 10-year Census by the ONS is due to take place on 21 March 2021.

Canterbury City Council consultations:

The following two consultations are running from 07 January 2021 to 04 March 2021:

Draft Corporate Plan 2021-24

The Corporate Plan is one of the city council's key strategic documents and is developed so councillors can set the agenda and priorities for the council.

It is used by council officers to help them focus their energies and increasingly-limited resources, implement agreed priorities and formulate future policy. It also helps them shape the way services are delivered.

The draft plan sets out CCC's proposed priorities and principles for the next three years.

Draft Climate Change Action Plan 2021-30

The draft plan explains the importance of climate action as part of the city council's work, as well as why there is a need to act and CCC's planned approach over the next five years.

It shows the scale of activity needed to achieve carbon reduction goals and explains the city council will seek money from outside organisations to help pay for any work it needs to, as well as take the opportunity to learn from others.

18. Clerk report

Items are incorporated elsewhere in these Minutes.

19. Archiving of Barham Parish Council 'signed' Minutes

Cllr D. Tatt proposed, Cllr Graham seconded and all councillors RESOLVED to move old signed Minutes for the period 2003 to March 2019 currently stored by the Clerk to the dedicated KCC Kent History and Library Centre at Maidstone. There is no charge for this storage.

20. Planning applications

New planning applications since the last meeting:	
15.	CA/20/02794 - 4 Derringstone Street, Barham, CT4 6QB Detached garage with utility room and garden room following demolition of existing garage.
16.	CA/20/02630 - The Yard Cottage, The Street, Barham, CT4 6NY Application for listed building consent for installation of roof vent extractor fan
17.	CA/20/02642 - Barham Court Farm, Church Lane, Barham Part demolition and conversion of agricultural barn to a residential dwelling and CA/20/02643/LB - Barham Court Farm, Church Lane, Barham Application for listed building consent for part demolition of barn, installation of double doors to both elevations, installation of staircase, partition walls and creation of first floor mezzanine. <i>TO NOTE a response to this planning application was uploaded on 12 January 2021</i>
18.	CA/21/00082 - Hop Pocket House, Gravel Castle Road, Barham, CT4 6LG Single-storey porch extension to side, alterations to fenestration together with cladding.
You can view and comment on applications online at https://www.canterbury.gov.uk/planningsearch	
Notifications:	
CA/20/00775 - Elham Valley Vineyard, Elham Valley Road, Barham - Proposed car park. GRANTED by CCC	
CA/20/02486 – Greenbanks, Greenhills, Barham CT4 6LE Upgrade existing pole transformer and add an additional support pole – CCC decision = No objection	
CA/20/00696 - Barham Business Park, Elham Valley Road, Barham, Kent, CT4 6DQ, Proposed 26 no. commercial units following demolition of existing buildings, together with associated access, parking and landscaping – GRANTED NOTED that the conditions of the grant did not act on the parish council's request for improved HGV signage in the village.	

21. Other planning matters

20/1966/FH - Elham Valley Holiday Park, Canterbury Road, Wingmore, CT4 6LP

Lawful Development certificate (proposed) for siting static caravans for permanent residential accommodation

This application falls within Elham parish. The site is next to the Palm Tree Inn PH (now closed) near Breach.

The following representation was emailed to F&HDC on 10 January 2021:

This application falls within Elham parish but is of interest and concern to Barham Parish Council and there is a lot of opposition from several Barham residents.

This planning application made on 4 December 2020 is to significantly change the current conditions attached to the caravan site adjacent to the former Palm Tree Inn PH near Breach (now closed), so as to allow 45 permanent caravans (as opposed to the current restriction to touring caravans).

The proposed change to 45 permanent residential homes on this site is completely inappropriate. The applicants are basing their case on the fact that there would be no material change, which is plainly not sustainable.

Barham Parish Council urge Folkestone and Hythe District Council not to grant the Lawful Development Certificate on the following grounds:

- **AONB** - This site is located in a sensitive location in an AONB and would be adversely affected by permanent occupation and provision.
- **Flooding** - There are flooding concerns. This site is located on the Nailbourne flood plain. The site is prone to flooding and while temporary caravans can move out, permanent replacements cannot. The developer would have to overcome the current regular situation through substantial change to the ground requiring excavation drainage (to who knows where) and hard standing - that is a material change.
- **Drainage** - There is no reference made to the treatment of surface water nor foul drainage.
- **Traffic** - 45 permanent dwellings rather than up to 45 temporary ones as now would mean an increase in the occasions of use to and from the site, resulting in an increase in traffic. 45 permanent residences could easily result in 2 cars/ residence = up to 90 vehicles requiring permanent parking and access in and out versus the current situation of perhaps no more than 10 to 20 i.e a material change.
- **Permanent settlement** - If allowed, this would effectively create a remote settlement without facilities. 45 permanent residences is a substantial settlement - 45 bungalow-like properties is a material change.
- **Contrary to the F&HDC Core Strategy** - The area is listed in the F&HDC Core Strategy as a tourist area, and there is an aim to encourage tourism. To allow permanent occupation rather than touring temporary stays would therefore not align with the Core Strategy values.
- **Capable of being moved** - The application explains that caravans are defined in Section 29 of the 1960 Act as “ ‘caravan’ means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer)....”

The key words here are *capable of being moved from one place to another* – if F&HDC is minded to grant the Lawful Development Certificate there needs to be a condition imposed to ensure the design and structure of any permanent residences meet this definition and could be moved.

22. Councillors items

Cllr Hunt explained that the Barham Village Hall sign on the post within the car park is going to also have a sign to represent the store as well. This may need permission although the pole is sited off the highway.

Cllr Hunt also offered to get a further alternative proposal/quote for a new village green sign.

Cllr A. Tatt advised he would be happy to do analysis from the SID data and suggested that this could be shared with the PCSO. The PCSO has advised she will do speed checks after training with the Speedwatch volunteers.

23. Confidential Staffing Matters

The Clerk left the meeting at this point (9.45pm).

The council resolved to award the Clerk a one-off taxable bonus of £250 in her next salary in recognition of the substantial number of hours worked above contracted hours during the last few months.

24. **Date of next meeting**

The date of the next full parish council meeting will be 04 March 2021 at 7.30pm and will use the Zoom virtual platform again.

The meeting closed at 9.58pm.

Signed:
Chairman, Cllr David Wood

Date:

Please note these Minutes remain as draft Minutes until they are approved by the parish council at their next parish council meeting

Future meeting dates in person are ON HOLD due to coronavirus: Virtual meetings may be convened as required.
Provisional dates for Full Council: 04 March, 01 April, 06 May, 03 June, 01 July, no meeting in August, 02 September, 07 October, 04 November, 02 December 2021.
And F&GP meeting dates should these be required: 17 March, 21 April, 19 May, 16 June, 21 July, 18 August, 15 September, 20 October, 17 November and 15 December 2021.

Appendix:

CCC Parish Council “Planning Briefing” engagement meeting 01 February 2021

Lead Rural Councillor and meeting chair: Councillor Barbara Flack

Councillor Barbara Flack welcomed everyone to the meeting and introduced Simon Thomas, Head of Planning, Karen Britton, Planning Manager (Planning Policy & Heritage) and Kate Balzan, Senior Community Infrastructure Officer. They were attending to give presentations and answer any questions on the District Local Plan, Neighbourhood Plans and Village / Parish Design Statements and the Community Infrastructure Levy (CIL).

1. Update on work towards a new District Local Plan

Karen Britton presented an update on the Local Plan review currently underway. The new Plan will set out the community vision for the district to 2040 and will allocate sites for development and land to be protected (for example for wildlife or landscape reasons). Karen reminded everyone about the important work Parish Councils have already contributed towards the new Local Plan. A parish council workshop on the Local Plan and CIL had been held in November 2019 to start discussions around parish priorities for, and involvement with, the new Local Plan and CIL. This was followed by a meeting with each parish council between January-June 2020. A public consultation on the Issues took place June-September 2020. 9,000 comments were received from 445 individuals and organisations. Workshops were then held July-October 2020 to discuss the Issues. CCC had an excellent response to the Local Plan Issues Consultation in 2020 and responses can be found at

https://www.canterbury.gov.uk/info/20014/planning_and_building/313/new_local_plan_2040

Some key messages from the Issues consultation:

- Build enough good quality homes including affordable housing
- Support economic growth and creation of jobs
- Facilitate movement within the district and beyond and increase on-car travel
- Tackle climate change
- Make the most of the heritage assets, the countryside and coast
- Support and encourage growth at the Universities
- Get the infrastructure to support the growth

- Manage sustainable change in the town centres

The landscape character assessment and biodiversity appraisal, along with the local facilities audit and playing pitch strategy and indoor built facilities audit, are nearing completion and will be published on the website early in the new year.

A report on the Local Plan Options will be taken to Committee in May and, if approved, a consultation on Options and strategy for growth will take place in late Spring 2021.

Karen finished by saying the site assessments have begun on the sites sent in to them in the "Call for Sites" and it was expected this and the SHLAAs (Strategic Housing Land Availability Assessment) would be published late Spring 2021.

A question and answer session then took place as follows -

Q: When do parishes get to pass comments on the "Call for Sites"?

A: We are in the process of analysing all of these sites now and once that has been completed and we know what our growth strategy will be (following the Options consultation) we will then begin looking at the sites against that and we'll contact you.

Q: Can you confirm it won't be a done deal?

A: There will be an assessment made of each site first (which is what we are doing now), then once we know the district's preferred growth strategy (which will be following the Options consultation) we'll approach parish councils for their comments on sites. The "Call for Sites" analysis will be published in late May for information (they do not form part of the Options consultation). Parish councils will then have the opportunity to raise other sites - it will be a step by step process.

Q: Do you have any idea of how the Government continually changing plans will impact the Local Plan?

A: We are continuing to progress our work on the new Local Plan and are not expecting the proposed Planning White Paper changes to impact our work at this stage, but we are starting to pre-empt what may happen, for example looking more at how we can include Design Codes and Master Plans. The White Paper will take a year or so to become an Act.

Q: How can CCC ensure sites included in the Local Plan will get developed and not just be left for years?

A: We have to evidence that sites we put in our new Local Plan are available and deliverable and we have to also ensure we have a 5 year supply of housing in our Local Plan (on a rolling basis). We have a requirement to review adopted plans within a 5 year period from their adoption now, so this has helped, and we can consider removal of sites from our Local Plan at that stage if they are not delivering.

2. **Community Planning (which includes Neighbourhood Plans and Village/Parish Design Statements etc)**

Karen Britton gave a presentation on Neighbourhood Plans and Village Design Statements. Community planning is to try and influence changes within a parish.

The aim of a Village Design Statement is to encourage developers and householders to design new developments to be in keeping with (or enhance) local character. This can help inform parish councils comments on planning applications and in their discussions with developers.

The aim of a Neighbourhood Plan is to enable development and where and what type of development should happen in the local area, it is to complement not undermine national or local planning policies. A Neighbourhood Plan has the same legal status as a Local Plan.

Overview of the differences:

	Village Design Statement	Neighbourhood Plan
Aims	Encourage developers and householders to design new development to be keeping with (or enhance) local character	To enable development. Where and what type of development, eg new homes should happen in the local area. Strategy for growth must complement not undermine national and/or local planning policies

Scope	Design of new development	Use of land and new development as well as design of new development
	A typical VDS might be set out as: - Introduction - Village Context, eg location map, how the settlement has evolved - Landscape character, eg describes landscape, protected habitats, important views - Built Environment Character, eg describes building types and layout, materials, features - Guidance for new development	Assessed by an Independent Inspector appointed jointly by CCC and the PC. Have to record all processes and evidence changes from V1 to the final version. A Referendum has to be held with electors – 50% of those voting have to say Yes to the plan.
Status	It can help inform PC comments on planning applications and PC discussions with developers. A VDS can be given to CCC as a material planning consideration and help CCC officers make their planning decisions.	The same status as a Local Plan

The Government has allocated £30m between 2018-2022 to support the development of Neighbourhood Plans. If applied for parish councils may get up to £10,000 of grant funding or technical support which could help with identifying sites for development or assist in preparing some design codes/guidance. CCC will pay for the formal consultation and CCC pay for the Independent Inspector and also pay for the referendum.

A question and answer session then took place as follows -

Q: Some parish councils are put off from doing a Neighbourhood Plan, how is it easier now and how can they be financed?

A: Look at what other parish councils have done or are doing as many places have already done them across the country. Thanington, Bridge and Chartham are preparing a Neighbourhood Plan. Plenty of evidence can be used that has been prepared for the existing Local Plan and will become available for the emerging new Local Plan, which would save money. It very much depends on the content of what you want to do, for example when allocating sites a working group can use the CCC Call for Sites Assessments as evidence; the Environment Agency and KCC Highways can also provide evidence to help with Neighbourhood Plans. Parish councils are also encouraged to speak to planning for more advice.

Q: Is a Neighbourhood Plan worth doing for small and large parishes?

A: Yes, as it's a way they can influence change within their parish. Parishes can also join up to work together with a neighbouring parish or even a cluster to prepare a Neighbourhood Plan – this can help with resourcing and expertise.

Q: With a Village Design Statement just the parish council are involved, with a Neighbourhood Plan all of the parish is involved?

A: Both are generally led by the parish council but with involvement from the community. The parish council have to be involved in both but it's advisable to create a working group and ensure the community is involved in this.

Q: The Neighbourhood Plan has to be broadly in line with the Local Plan, do we work to the existing Plan or the new Plan?

A: We advise that you look at the new Local Plan content – by early Autumn 2021 after the Options consultation the CCC strategy will be known - but it really depends on what you want to put in it and when. Conversations need to be had between us to ensure we can discuss these issues to get the best for your Neighbourhood Plan.

Q: This would be difficult as we'd have to pre-guess what the district wants?

A: It is unlikely to conflict with the Local Plan but again I would encourage you to speak to planning.

More information about Neighbourhood Plans: <https://locality.org.uk/services-tools/neighbourhood-planning/>

3. Community Infrastructure Levy (CIL)

Information on the Council's Community Infrastructure Levy:

https://www.canterbury.gov.uk/info/20014/planning_and_building/308/cil_and_planning_obligations

What is CIL? CIL is a charge levied on developments that create a new dwelling or create an extension of 100 square metres or more.

The purpose of a CIL is to raise funds for local infrastructure.

It is expected there will be less S106s over time but they won't be phased out entirely as S106s can be useful for specific onsite mitigation and still be relevant to make a development acceptable in planning terms.

However, the amount of CIL CCC receive can be affected by exemptions (self-build and residential extensions are the most common), existing buildings on site can often be offset from the charge and also types of development charged.

- Charged per square metre based on fixed rates set out in our CIL Charging Schedule.
- A new, typical 2-3 bed house could be charged £16,830.00 (90m² at £187 per square metre for most of the district).

But in reality, the amount of CIL CCC receive is affected by exemptions. Exemptions are not automatic. An exemption has to be granted by CCC – the developer submits an exemption form:

- Self-build exemptions – A self-builder or anyone commissioning someone to build them a principle place of residence that they will live in for a minimum of 3 years from the date of completion. There are evidence checks, eg utility bill, and if they were to sell within these 3 years, it would be picked up on Local Land Charge Register when searches are done.
- Residential extension exemptions
- Existing buildings on site can often be offset from the charge
- Viability of development
- Types of development we charge.

Canterbury City Council charges and collects CIL and splits the levy receipts into 3 pots:

80%	15%	5%
STRATEGIC ALLOCATION Towards strategic infrastructure projects, including transport, schools, hospitals and social care facilities. Governance arrangements are being established to provide an appropriate decision-making framework for allocation of this money	'NEIGHBOURHOOD PORTION' The money that is passed onto parish councils to spend – see below	ADMINISTRATIVE COSTS 5% of levy receipts will be spent on administrative expenses e.g. to cover officer time in administering the process

The Neighbourhood Portion:

15% of CIL levy receipts must be spent in the area where development is taking place. This is referred to as the 'Neighbourhood Portion'. (This proportion increases to 25% for areas that have a Neighbourhood Development Plan in place.)

Parish councils will receive 15% for every development in their parish that is charged CIL, so the amount received is largely proportionate to the amount of growth in your area.

How do parish councils receive the neighbourhood portion:

The amount of CIL to pay is confirmed after the planning application is approved but only becomes payable on commencement of development (so it may be a number of years until significant CIL payments are received).

CCC is intending to transfer the 'neighbourhood portion' to parish councils twice yearly and will confirm these arrangements shortly.

How can parish councils spend CIL?

The 'neighbourhood portion' can be spent on a wider range of things than the rest of the levy. CIL Regulations 59C says it can be spent on: (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or (b) anything else that is concerned with addressing the demands that development places on an area. (This includes affordable housing).

Examples are:

- Community facilities and community hall
- Schools and other educational facilities
- Open spaces, parks and play areas
- Cultural and sport facilities
- Transport, eg cycle lanes or bus shelters
- Health and social care facilities
- Flood defences

A parish council should spend any CIL received within 5 years or CCC can ask for it back to put to their own infrastructure requirements – although this can be up for negotiation if the parish council has long-term plans.

How should parishes report CIL?

The CIL Regulations also state that parish councils must provide a report detailing CIL receipts and expenditure for the previous financial year, by 31st December following the financial year. Canterbury Council will provide a template and can assist if required. This must be published on the parish website. If a parish council has not received any CIL, they do not need to publish a report.

A question and answer session then took place as follows –

If a building on land is used for 6mths but then converted by permitted development would they have to pay CIL?

Permission under general consent such as permitted development can be liable for CIL if it creates a new dwelling or 100 square metres or more new build floorspace. If it has been in lawful use for a continuous period of 6 months in the last 3 years, then the existing floorspace can be offset (as with planning permissions liable to pay CIL).

What happens to the 80%?

This is the Strategic Allocation. CCC is currently looking at how this will be prioritised but CCC priorities will be shared later on in the process. CCC is in talks with other infrastructure bodies such as KCC at present. It will be spent on strategic infrastructure that is set out in the Infrastructure Delivery Plan (produced and developed alongside the CDLP): https://drive.google.com/file/d/1Wp-cfgMSPbS5GMU1Ms6v59oeWNMQ_aCc/view

Can you clarify when CIL is due?

CIL only becomes due on commencement of development. If the amount comes to over £50k it can be paid in instalments; if it's a smaller amount it needs to be paid within 60 days. The rate is set at the date of when planning permission is granted (not at the rate of commencement) and will not then change.

Will parishes be kept in touch of when money is due?

We are working on how the Neighbourhood Portion will be transferred and how parish councils can be notified of how much Canterbury Council is holding for them. In terms of money in the pipeline which may come in, it can be made complex, for example, due to exemptions, which can be applied for any time before commencement. A word of caution is that if development never commences then no CIL is paid – and exemptions can come in up to the point of commencement.

Can parish councils talk to CCC about having over 5yrs to spend the money?

If you have a valid reason it shouldn't be a problem, spending the money within 5yrs is a recommendation set out in CIL Regulations.